Supreme Court, U.S.
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No. 94-1680

IN THE

# Supreme Court of the United States

**October Term, 1995**

WILMA WILSON,

*Petitioner*

v.

THE WORKERS' COMPENSATION APPEALS BOARD of the State of California; ET AL,

*Defendants*

**On Petition for A Writ of Certiorari or Other Appropriate Relief to the Court of Appeals for the Ninth Circuit and the California Supreme Court and/or the Workers' Compensation Appeals Board of the State of California, Jointly or in the Alternative**

## PETITIONER'S SUPPLEMENTAL BRIEF

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## PETITIONER'S SUPPLEMENTAL BRIEF

This supplemental brief is being filed pursuant to Rule of Supreme Court 15.7, which states:

> "Any party may file a supplemental brief at any time while a petition for writ of certiorari is pending calling attention to new cases or legislation or other intervening matter not available at the time of the party's last filing. A supplemental

> brief must be restricted to new matter. Forty copies of the the supplemental brief, prepared in accordance with Rule 33 and served as prescribed by Rule 29, shall be filed."

## NEW MATTER

This is to apprise the Court of the latest findings in *People v. Stanley Samuel Feinstein,* the Workers' Compensation Judge in petitioner's underlying case. In March of 1994 he sexually molested an attorney in his chambers. The Los Angeles Police Department wired the victim and recorded Judge Feinstein admitting the offense. He blamed his behavior on:

> "a sense of pure passion",

then told the lady:

> "I assure you, if you ever appear before me, you will be treated decently."

He was indicted on felony counts of battery and false imprisonment. At trial a Court Reporter testified that she had been sexually harassed by him four years earlier. His employer was so advised and he was made to submit a written apology.

## VERDICT

On Friday, April 28, 1995, Stanley S. Feinstein was found guilty of California Penal Code 243.4(a) which reads as follows:

> "**Sexual Battery.** Any person who touches an intimate part of any person while that person is unlawfully restrained by that person or an accomplice, and if the touching is against the will of the person touched and is for the purpose of sexual arousal, gratification or abuse, is guilty of sexual battery. Such an act is punishable by imprisonment in the county jail for not more that one year or in the state prison for two, three or four years."

In the Deputy District Attorney's eyes, the Judge's acts were:

"...an abuse of power, an abuse of authority."

Earlier reports said he had been dismissed from his position as a Workers' Compensation Referee (Judge), for refusing to cooperate with an investigation by his employer, the State Department of Industrial Relations. Recent accounts however state that he has been on paid administrative leave since April of 1994, which reflects a show of support on the part of the state.

## REASONS FOR GRANTING THE WRIT

In light of his conviction we now know there is good reason to doubt Judge Feinstein's judgment as a rational, law abiding member of society. Decisions from his bench therefore cannot be blindly deemed sound interpretation of the law. In petitioner's case he conducted an unfair trial then rendered a clearly erroneous decision, demonstrating little regard for the rights or welfare of an injured worker. The state of California not only failed to provide an effective means to review his decision, but they financially supported him during his criminal proceedings despite his abusive pattern of authority on the job.

Petitioner asks this Court to consider whether Judge Feinstein was capable of sitting in judgment of others and fairly applying the law, when his own conduct is so far askew. She also asks that the Court scrutinize the state's role in supporting his acts, both on and off the bench.

To deny certiorari in the instant case would be to hold a convicted felon above any standard of review whatsoever, when his actions have clearly shown bias, an abuse of the authority and defiance of the law governing his personal behavior.

Dated: May 3, 1995 Respectfully submitted,

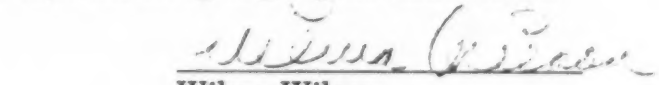
Wilma Wilson

*Petitioner in Pro Se*

**VERIFICATION**

STATE OF CALIFORNIA )
) C.
COUNTY OF LOS Angeles )

I, the undersigned, certify and declare that I have read the Supplemental Brief and know its contents. I am a party to the action.
The matters stated in the document described above are true of my own knowledge and belief except as to those matters stated on information and belief, and as to those matters I believe them to be true.
Executed on May 3, 1995, at Van Nuys, California.
I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.



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